

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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AMERICAN EMPIRE SURPLUS LINES
INSURANCE COMPANY,

Plaintiff,

v.

JOSEPH & SON RESTORATION INC., *et al.*,

Defendants.
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ORDER

20-CV-1897 (WFK)(CLP)

WILLIAM F. KUNTZ, II, United States District Judge:

On November 5, 2021, the Honorable Chief Magistrate Judge Pollak filed a Report and Recommendation (“R&R”) recommending this Court GRANT Plaintiff’s motions for summary judgment and pre-judgment interest and DENY Plaintiff’s motions for attorney’s fees and declaratory judgment without prejudice. ECF No. 45. Written objections to the R&R were due on November 19, 2021. To date, no objection has been filed.

In reviewing a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where no objections have been filed, the Court reviews a report and recommendation for clear error. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here. Accordingly, the Court ADOPTS the R&R in its entirety. The Court respectfully directs the Clerk of Court to terminate the motions pending at ECF No. 35 & 45.

SO ORDERED.


s/ **WFK**

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: November 23, 2021
Brooklyn, New York